

DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details. The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Please amend the abstract to read as follow:

"The invention include a system and method for delivering content within a network of interactive televisions. In accordance with a preferred embodiment, the system distributes media content, such as video and music, across a communications network comprising at least one server and at least one client device. Users of the system utilize a client device to access the media content, to view a preview or a description of the media content, and to purchase the media content. The client device receives the media content from the server, and the client device stores the media content within a storage device on the client device. The client device employs interface devices to facilitate user interaction with the system. The server records the purchase of media content and other activities and preferences of the user of the client device."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Russo, US Patent 5,619,247 (hereinafter Russo).

For claim 1 Russo teaches:

A method for distributing media content across a communications network comprising at least one server ("program sever computer" col. 3, lines 24-27) and at least one client device (e.g., cable converter box, col. 2, lines 45-55) the client device having at least one storage device (program storage-see fig. 1), the method comprising:
sending a plurality of media files from the server to the client device (e.g., col. 7, lines 16-23); sending a command from the server to the client device (authorization key- see fig 2 ,e.g. col. 8, lines 58-64) , the command directing the client device to store the plurality of media files in the storage device (since the program provider has the ability to store content at there own discretion, the program provider must have facilities to choose which programs are to be stored on client device-see abstract); allowing a user to browse through descriptions of the media files in the storage device (col. 10, 54-59); preventing the user from accessing the media files in the storage device (e.g.

col. 10, lines 40-48); communicating with the server to authorize the user to access at least one media file in the storage device; and allowing the user to access the at least one media file if the user is authorized to access the media file (col. 12, line 55-59).

Re claim 2, note that video files having a normal playtime of at least 30 minutes, (e.g. pay-per-view programs).

Re claim 3, wherein the step of sending a command from the server comprises sending a command to the client device causing the client device to store the plurality of files in the storage device without the need for any user inputs to the client device (See Abstract- e.g. “program provider automatically downloading programs.....at providers discretion”).

Re claim 4, wherein user inputs includes commands input through an infrared input device directly to the client device or commands input to the client device through a control system over the network (remote control acts as input device- col. 10, lines 50-51).

Re claim 5, requesting payment from the user for access to at least one of the media files stored in the storage device(col.10, lines 39-48).

Re claim 6, deleting at least one of the media files stored in the storage device without the need for any user commands to be input to the client device(e.g. “programs may be automatically erased....”, col. 11, lines 11-16).

Re claim 7, adding at least one media file to the storage device without the need for any user commands to be input to the client device (see abstract).

Re claim 8, Russo teaches a method for selling media content to users of a client device having a storage device (program storage- e.g., fig 1) and connectable to a network (cable provider facility), the method comprising: storing a plurality of media files in the storage device of the client device (see abstract); allowing the user to browse descriptions of the media files stored in the storage device(col. 10, lines 54-59); preventing the user from accessing the entirety of the media files; and allowing a user to authorize payment for access to at least one of the media files (col. 10, lines 40 - 48).

Re claim 9, wherein the step of storing a plurality of media files comprises storing a plurality of video files, each video file being more than 30 minutes long when played at normal speed (i.e., pay per view programs).

Re claim 10, the method according to Claim 8 additionally comprising adding different media files to the storage device without the need for any user inputs to the client device (see abstract).

Re Claim 11, the method according to Claim 8 wherein storing a plurality of media files in the storage device comprises saving the plurality of media files and a secured library defined in the storage device (i.e., storing encrypted content) .

Re claim 12, The method according to Claim 11, wherein the plurality of media files are encrypted ("scrambling" e.g., col. 4, lines 23-28).

Re claim 13, Russo teaches,

A method of tracking fees to guests of a hotel having at least one client

Device (cable converter box-, col. 2, lines 45-55) in each of a plurality of guestrooms in a hotel, the client device comprising a video display (col. 3, line 54) and computer connected to a server (program server computer- col. 3, line 26) , the method comprising: storing a plurality of full-length major motion pictures on a storage device of the client device (see abstract); allowing a user to browse descriptions of the full-length major motion pictures; preventing the user from fully accessing the full-length major motion pictures (e.g., col.10, lines 40-48); requesting confirmation for authorization for the user to access at least one of the full-length major motion pictures; allowing the user to fully access the at least one full-length major motion picture only if authorization is confirmed (col. 6, lines 46-48).

Re claim 14, The method according to Claim 13 additionally comprising sending fee information to an accounting server of the hotel indicating that the user should be charged a fee for access to the at least one full-length major motion picture(col. 6, lines 34-46).

Regarding claims 15-19 are method claims corresponding to system claims 1-14. Thus, they have been analyzed and rejected w/r to claims 1-14.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deaundre Jefferson whose telephone number is (571)-270-3754 examiner can normally be reached on Mon-Thurs from 7:30am-5:00pm and Fri from 7:30am-10:00am. If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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